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March 7, 2014

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 32 – February 2014
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

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1. Actions Taken to Comply with Settlement Agreement during Previous Month

- A draft Statement of Resolution of Dispute letter that reflected the discussions and conclusions from the January 29 Baseline Ecological Risk Assessment (BERA) Problem Formulation (PF) dispute resolution meeting was provided by USEPA on February 3. The NCG provided comments on this draft document to USEPA on February 7. USEPA provided a final Statement of Dispute letter on February 11.
- Summary notes from the January 22 groundwater meeting were provided by USEPA on February 5.
- Comments and clarifications on the USEPA-proposed protocols for exchanging information between the NCG and City of New York were submitted to USEPA on February 6. A revised data exchange protocol was provided by USEPA on February 12. NCG agreement with the data exchange protocols was confirmed via e-mail to USEPA on February 24.
- Comments on the draft *Phase 2 Remedial Investigation Work Plan – Volume 2* (Phase 2 RI Work Plan Volume 2) were provided by the City of New York on February 10.
- Guidance on the exchange of numerical models and modeling information between the NCG and the City of New York was provided by USEPA on February 11.
- Responses to the City of New York comments on the draft *Phase 2 Remedial Investigation Work Plan – Volume 1* (Phase 2 RI Work Plan Volume 1) were provided to USEPA on February 10.
- An oversight invoice for the period from July 1, 2013, through December 31, 2013, was provided by USEPA on February 13. Backup information for the oversight invoice was provided by USEPA on February 19.
- A USEPA update meeting was held on February 13. Items discussed during this meeting included: 1) NCG responses to the City of New York comments on the draft Phase 2 RI Work Plan Volume 1; 2) City of New York comments on the NCG's conceptual site model, Phase 2 groundwater sampling program, and Phase 2 point sources sampling program; 3) NCG's revised groundwater approach and segmentation approach and rationale; 4) 2014 project schedule look ahead; and 5) data request status update and proposed information sharing protocol.
- Responses to the City of New York comments on the draft Phase 2 RI Work Plan Volume 2 were provided to USEPA on February 21.

- The draft *Section 6 Addendum, Phase 2 RI Work Plan – Volume 2* (Section 6 Addendum) was submitted to USEPA on February 21.
- A request for additional information from the City of New York was submitted by the NCG to USEPA on February 24.
- A preliminary draft Phase 2 field program schedule was provided to USEPA on February 25.
- The revised BERA PF and the draft *Newtown Creek Caged Bivalve Study* were submitted to USEPA on February 28.
- The following activities continued in February:
 - Hydrodynamic and sediment transport model development
 - Phase 2 field program planning

2. *Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month*

- None.

3. *Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them*

- None.

4. *Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion*

- Project update meetings and/or teleconferences with USEPA are scheduled for March and April.
- A human health risk assessment site visit is being scheduled for March.
- Comments on the draft Phase 2 RI Work Plan (Volumes 1 and 2) will be provided by USEPA, and NCG responses to these comments will be prepared.
- Comments on the draft Section 6 Addendum will be provided by NYC and USEPA, and NCG responses to these comments will be prepared.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Quadrini", with a stylized flourish at the end.

Jim Quadrini, P.E., BCEE

Anchor QEA, LLC

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
Edward Leonard, CDM Smith